

# QUID NOVI

*Volume 33, n°12*

*24 janvier 2011 / January 24<sup>th</sup> 2012*

Journal des étudiant-e-s  
en droit de l'université McGill

McGill Law's  
Weekly Student Newspaper



# QUID NOVI

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*Journal des étudiant-e-s  
en droit de l'université Mc Gill  
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## WANT TO TALK? TU VEUX T'EXPRIMER?


Envoyez vos commentaires ou articles avant  
jeudi 17h à l'adresse : [quid.law@mcgill.ca](mailto:quid.law@mcgill.ca)

Toute contribution doit indiquer le nom de  
l'auteur, son année d'étude ainsi qu'un titre  
pour l'article. L'article ne sera publiée qu'à la  
discrétion du comité de rédaction, qui

basera sa décision sur la politique de  
rédaction.

Contributions should preferably be submitted as  
a .doc attachment (and not, for instance, a  
".docx").




 AMANDA  
PETRAKIS

Co-Editor-in-Chief

# HOW THE CREAM RISES TO THE TOP

I am in my second year of law school and let me tell you, 1Ls, that it never seems to get any easier. I am not saying this to frighten you, but it is necessary to come to grips with the daunting reality that is McGill Law *all the way through*. The challenges keep coming, and they are always new – fresh out of the legal oven.

In your first year, memos scare the hell out of you; you discover how to use a summary only by the end of the first semester, and then forget by the start of the second; or maybe you are the type who feels completely *à l'aise* at NCDH, but can't comprehend why you got that 'B'. In your second year, you've gotten used to picking out legal tests from cases; you've downloaded every summary and are ready to personalize them; you feel like you'll be in control.

Wrong. Me Lamed throws the factum at you. And you have to decide what to do with your life at the age of 20 (CEGEP represent!). And you have to consult the exam schedule to decide what courses to take so as to increase your chances at keeping panic attacks at bay. All this worry and work for what? Because you want to be *successful*.

We are a bunch of overachievers at the faculty, so we keep on quantifying achievement when we enter McGill Law. We try to keep our grades up, as well as our spirits by maintaining some remnants of our former social lives, all the while embellishing CVs and keeping fit. Everyone strikes their own balance (or aspires to) differently. But at the end of the day, most of us have the same conception of what suc-

cess is: a job that will provide financial security because that is how we will have the money to do all the things we really want and be happy. Our society tells us that, to achieve our goal, we have to do this on our own. Through our determination, persistence and a dash of natural talent, we will beat the odds and become *successful*.

Recently, a good friend of mine picked out a book for me: *Outliers: The Story of Success* by Malcolm Gladwell. Reading *Outliers*, I gained a new perspective on success, and I wish to share it with you the same way it was shared with me. The overall message will, I hope, bring you some peace of mind.

In a nutshell, success doesn't belong to the lone wolf facing a harsh, unforgiving world. It is not merely the result of individual choices and effort. Rather, it is the product of multiple factors exterior to us and the many agents who help along the way. A strong and determined individual seizes opportunities; but who helped one become strong and determined plays a huge role. Also, you don't necessarily earn opportunities. They come your way sometimes, depending on X, Y, and Z. If they don't, it does not mean you were undeserving, or you didn't try hard enough.

What I want to do is dispel some of the success myth in the legal context, and give some advice (which I am probably not qualified to do despite my best intentions).

Those of us fighting against the tide – hoping against all hope to secure at least so-

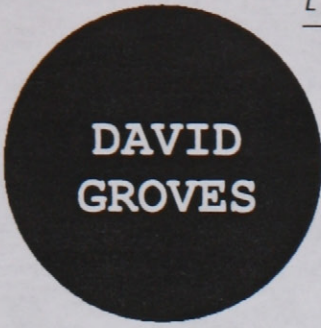
mething over a B – feel discouraged and think we will never reach success with all those A-graders in the front line. Thankfully, this is not true. *Outliers* tells of a study – the “Michigan study” – that tracked the success of two groups of University of Michigan law students: those admitted by virtue of their exceptional achievements, and students from disadvantaged backgrounds with lower GPAs and SAT scores who were admitted thanks to the university's affirmative action policy. The study revealed that there was absolutely no difference between their real-world success post-law school.

“And why? Because even though the academic credentials of minority students at Michigan aren't as good as those of white students, the quality of students at the law school is high enough that *they're still above the threshold*. They are smart enough.” (p.96)

The Michigan study was about how socioeconomic background may affect how someone gets ahead in the world according to how much access one has to opportunities at success; it was complicated, and in no way implied that individuals from visible minorities were less smart *because* they were *not* white (it is rather a question of affording opportunities, confidence level, etc.). I see the underlying truth as being that law students with lower grades in their program can still reach the ultimate goal. Success, at this point, depends on other things. It depends, in part, on another sort of intelligence, one that cannot be measured by labelling it with either an A, B, or C.

(continued on page 19)





DAVID  
GROVES

## THE OPTIMIST

# IN DEFENSE OF FAILURE

I've always had a soft spot in my heart for failure. Not for every kind, of course — space shuttle disasters, closing a car door on your hand, calling your significant other by the wrong name; these are all best avoided — but it is not an unpleasurable genre of result. There are the obvious humorous examples, such as the accidents: man gets hit in groin by something, cat falls into bathtub, cat hits man in groin, both fall in bathtub, bathtub hits man in groin... you get the idea. There are of course the personal failures, which give you great stories to tell later. I had a friend who flipped his parents' car when he was 16, and he is still impressing women with the story. Not that I want to go back in time and flip my parents' car, but there's not a lot about a clean driving record that impresses women. And then there are the failures that directly precede fantastic success. A lot of flying machines had to crash before one could ever fly. Most successful performers will attest to the soul-crushing necessity of bombing on stage in order to learn how not to. Failure can be a valuable corrective, provided we think about it the right way.

I'm writing this in the wake of the release of fall grades, something I spent most of my Christmas break contemplating in quiet terror. To second, third, and fourth-year students, this whole process is old news, but for us wide-eyed newcomers it's been as comfortable as a poorly anesthetised root canal. A big part of the agony has been the necessary but dire warnings the faculty has given since day one ("You're great, you're fine, it's okay, but you won't do well"), which have been great for expectation-setting but terrible for the blood pressure. Beyond that, though, our shared pain has come from how we as a culture think about success and failure.

We are of a generation and society that has worked hard to essentialize success, to make it part of our identities, rather than something we just hang on our wall or spend on a new coat. Self-help, self-esteem, self-actualization, self-realization: you don't just succeed, you are a success. Believing in oneself is, of course, a very

important thing (I doubt anyone got into McGill by convincing themselves that they were an idiot), but, when self-confidence is so intimately connected with success, it carries a cost. The downside of this approach to success is that we have opened the door to essentializing failure. If you can be a success, you can be a failure as well. I will readily admit that there are a lot of things (mostly sport things) that I choose not to do anymore because the feeling of failing was so acute as to be painful. When I was 15, I tried out for my high school's basketball team, and hit the coach square in the face with a ball. Rather than trying again, I simply concluded that I was fated for failure, wrote it off, and dedicated the next few years of my life to Magic: The Gathering and arguments about Star Wars. Those were okay years, but not ones that I would consider accomplished. We all like to play to our strengths, but it can be dangerous to steer clear of something simply because it didn't work out so well the last time. When you internalize failure, even partially, you wall off whole universes of possibility. It's not like I was going to be the next LeBron James or anything, but it would have been nice to have a skill-set associated with my height that wasn't hitting my head on things or not fitting into clothing.

So here's the thing, and I know it's not an easy thing because I too struggle with it: don't let your grades become a part of you. Good, bad, whatever they are, they have as much to do with who you are as the bathing suit you wore when you were young, or the route you walk to school, or the type of floss you use. They are a blurry and incomplete snapshot of a mind in motion, but they don't speak to either your value or your potential, which are the two things most people come to law school to work on. You can internalize them and feel miserable, or learn from them, toss them aside, and stay in motion. They're only as much a part of you as you let them be.



# I AM NOT A LOWER LIFE FORM

*DISCLAIMER: I am writing this on my own recognizance and not at the behest of my supervisors.*

When I first arrived at the Faculty of Law, I was struck by the strong social dimension of the legal community. Professors, staff, students and alumni, most seemed to be very much people-oriented, to be “people people”. The happy number of gatherings, cocktails and other social activities that abounded inside and outside the Faculty made that quite obvious.

For years now, I’ve been the faculty’s Web Communications Editor (aka webmaster). I maintain the faculty websites, post events, take photographs, write up successes and good news. I go share a laugh at Skit Nite. I come applaud Actus Reus plays. I watch students arrive, learn, grow and then graduate, and I’m delighted to see them when they revisit the Faculty.

I often joke that my job is to make the McGill Law community look good, and, everyone here makes it very easy for me to do so.

But, while I am a member of this community, I am not a lawyer and did not study law. My own university education instead took me into the sciences, the environment and computers.

In last week’s *Quid*, a law student saw fit to alter Euripides’ call to deeper knowledge to a call to eject students who aren’t studying law from the library. Perhaps it was meant humorously. Perhaps it was satire. Perhaps it was naively imagined that only law students read the *Quid*.

I love libraries. I love their hush, their smell, and their potentialities – all those books, just quivering with knowledge and stories and wisdom. I love knowledge for the sake of knowledge, and I love that the library doors are open to all seekers.

McGill offers access to a wide variety of libraries on campus, all of them superb. I know because I sometimes like to visit them at lunchtime. There’s the Islamic Studies Library, with the light falling softly from high stained glass windows. There’s the bright and animated Cyberthèque, and there’s the wonderfully historic Osler library. It’s all there for you. And for everyone else.

I have a sense of humour, but I am put off by what seems to be a growing notion here that students of anything other than law are — brrrrr! — The Other. Were I sitting at the Gelber Library today, would I be deemed an invader, a worthless flâneur fit only to be doused in garlic butter and then ejected with a resounding oust, tabarnak?

I remember enough university biology to know that I am not a gastropod. And neither are my fellow non-law students and non-lawyer coworkers. The Law Library belongs to the community; it is not the chasse-gardée of a privileged few who feel entitled to ridicule and mock non-lawyers and speak the language of class division and segregation with impunity.

Yes, I’m using strong words, but here is my point: this is how it starts, small, quiet, mockingly – but like cancer or forest fires, it can grow if left unchecked into bullying attitudes. When someone calls a student from another department or faculty a snail, they call me a snail, too, because once a student, always a student.

I call upon all McGill Law students, who as a rule embrace equality, diversity and inclusion, to put a stop to the demeaning language of snails and escargots.



LEANNE  
FLETT

# NEW YORK, NEW YORK

The McGill International Law Society trip brought 32 people to New York last weekend for an unforgettable vacation! With a combination of planned activities and free time in the city, each student was able to experience life as a New-Yorker for a few days.

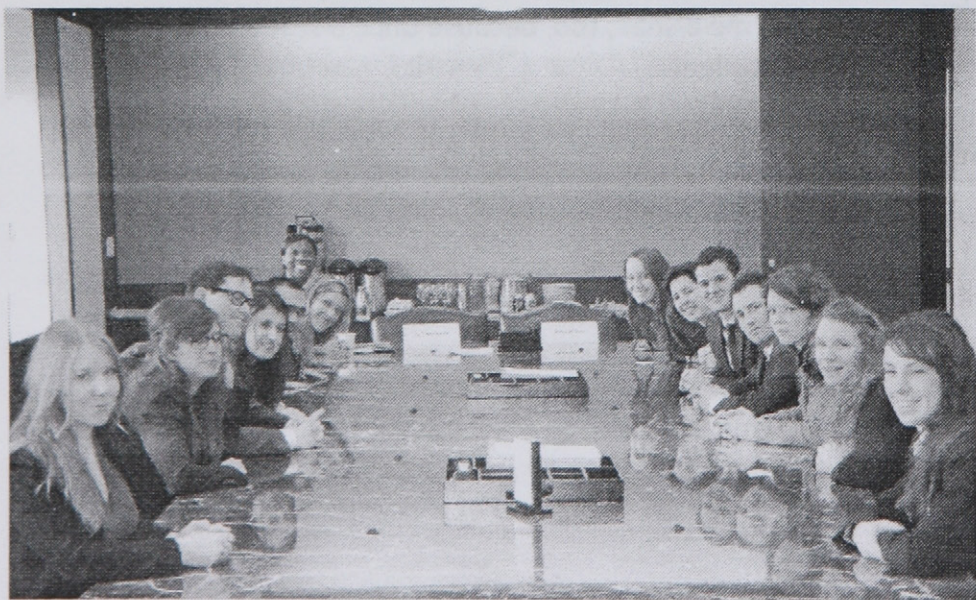
On Friday the groups were divided for morning and afternoon activities. Some visited the firms of Morrison & Forrester (or MoFo as they call themselves), Davies (which, according to its managing partner, plans on being the first law firm on the moon) and Cravath (which I hear was lovely). We found out about “double all-nighters” and some of the other joys of being a high-paid American attorney. One group got a private tour of the UN where we visited the General Assembly and the Security Council’s chambers. At the end of the day everyone came together to visit the offices of the Human Rights Watch, which were located on the 32nd floor of the Empire State Building. During the presentation we were all treated to an incredible view of the sun setting over the harbour. Sigh.

Saturday started off with a delicious private buffet brunch where we got to chat with McGill alumni about their practice in New York. One alumnus recounted her adventures working in the legal department at NBC,



while another discussed his international work in arbitration. Other alumni gave us advice about which bars to frequent that night and tried (unsuccessfully) to get us to go to Brooklyn. The brunch was a really great opportunity to find out what it is really like to be a lawyer in New York and I know everyone came away having learned something new. The rest of the day the group was free to explore the city before an optional supper and club outing later that night. We spent our last night in New York “popping bottles” in a trendy bar toasting the success of our trip.

At the risk of tooting my own horn, I think MILS did a great job of organizing the trip with special thanks going out to Jeanne, the New York Trip Head, for all her hard work. If you are interested in taking part in planning the New York Trip or other MILS activities next year please come out to our end-of-year meeting in March when we will elect a new executive for the coming year. Thanks to everyone who came on the trip, you were an agreeable, hilarious and fairly punctual group!





# ACTUS REUS BRINGS MURDER TO THE MOOT COURT!

Actus Reus, McGill Law's pre-eminent and most prestigious amateur theatre company, have spent months preparing the play of all plays – Agatha Christie's "The Mousetrap"! Having first opened on London's West End in 1952, The Mousetrap is the longest running theatre production of any kind in the world. 2012 marks the 60th anniversary of the play, and the perfect opportunity for Actus Reus to pay homage to the queen of murder, mystery, and bold red herrings, Agatha Christie.

Giles and Mollie Ralston (played by Edmond Boulle, LLM and Janina Sochaczewski, 1L) have recently opened up a guest house. They welcome a litany of unusual guests including whimsical Christopher Wren (Emily MacArthur, 1L), cantankerous Mrs. Boyle (Katie Webber, 3L), retired army sergeant Major Metcalf (Derek Zeisman, 1L), brusque Miss Casewell (Alexandra Bornac, 1L) and peculiar Paravacini (Parisian exchange student Johanna Grangier).

Not even news of a "juicy London murder", a bout of unfortunate weather that snows them in for the weekend, and the unex-

pected arrival of the serious Sergeant Trotter (Christopher Durrant, 2L) can spoil the holiday-goers moods. When one of the guests is strangled to death, however, paranoia begin to run high. It is up to the guests' own wits and the intrepid Sergeant to figure out whodunit before another death takes place.

The play is directed by Roshini Nair (3L), stage managed by Sara Shearmur (1L), and produced by Ke-Jia Chong (2L).

Tickets are available from the cast and in the atrium from 12-2pm. The play runs in our very own Moot Court on Wednesday January 25 (\$6), Thursday January 26 (\$8), and Friday January 27 (\$8). Tickets are \$10 at the door. Doors open at 7:00pm, and the show starts at 7:30pm.

Questions? Email us at [mcgill.actusreus@gmail.com](mailto:mcgill.actusreus@gmail.com)

*\*Please note: while attending this play is not a mandatory requirement for criminal law, it provides very enriching insight into deviant criminal behavior. Ahem.*



Shot in location at the Common Room in Old Chancellor Day Hall

Back row (standing): Emily MacArthur, Roshini Nair, Janina Sochaczewski, Edmond Boulle, Ke-Jia Chong

Front Row (sitting): Chris Durrant, Johanna Grangier, Katie Webber, Alexandra Bornac, Sara Shearmur, Derek Zeisman



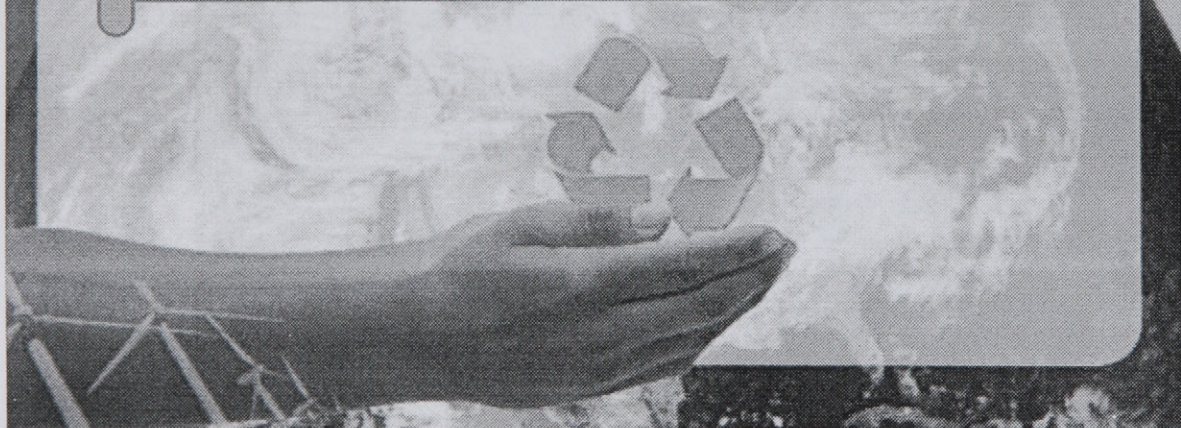
**GREEN  
LAW  
COMMITTEE**

# WANT TO BE A LITTLE MORE SUSTAINABLE?

*Drink to the Earth!*

**Honor Mother Earth by using a reusable cup or mug!**

Get Your Frequency Cards & Save \$0.25  
Everytime You use a Reusable Mug



**Happy Hour Special!!**

**Save \$0.30 when you use a reusable mug**

**Mondays - Fridays**

**8:30am – 9:30am & 2:00pm – 3:00pm**



1. Épargnez 30 sous sur votre café ou thé de la cafeteria quand vous apportez votre propre tasse entre 8:30-9:30 et 14:00-15:00!

2. Using a frequency card that can be obtained for free at the cash register, save 25 cents on your coffee or tea with a reusable mug anytime. After seven uses, you can present the card for a free coffee or tea!

3. By now, we hope that you have seen our reusable plates and utensils being used at Faculty events! Pour ceux qui n'ont pas vu notre dernier message, les étudiants peuvent emprunter des assiettes, ustensiles et (bientôt!) des verres pour une période maximale de 24 heures. Les emprunteurs doivent laver et rapporter les objets en bon état – une amende sera imposée si les objets sont endommagés, perdus ou non-lavés. Un dépôt de 40\$ est requis lors de l'emprunt. The loan form is available both on the LSA website as well as by emailing [greenlaw.committee@gmail.com](mailto:greenlaw.committee@gmail.com). To reserve dishware for a specific date, the completed form must be emailed to [greenlaw.committee@gmail.com](mailto:greenlaw.committee@gmail.com) at least 24 hours before the event is to take place so that pick-up and drop-off times can be confirmed. Ce service est un nouveau projet, et nous sommes ouverts à vos commentaires et suggestions!

4. We are also in discussions with both Aramark and the LSA on the possibility of implementing (a) composting and (b) a reusable plate service in the law cafeteria. Si vous avez des commentaires ou suggestions, n'hésitez pas à nous contacter à [greenlaw.committee@gmail.com](mailto:greenlaw.committee@gmail.com).

5. Si vous aimeriez vous impliquer en tant que bénévole, n'hésitez pas à nous contacter à [greenlaw.committee@gmail.com](mailto:greenlaw.committee@gmail.com).





## NOTICE OF ASSEMBLY AVIS D'ASSEMBLÉE

### Juris Doctor McGillensis (JD McGill)

Why: To update students on the JD/LLB conversion process  
When: Wednesday, Feb. 1, 12h30 – 14h30  
Where: Moot Court, NCDH  
Who: You!

***Refreshments will be served for those who stay to hear the details!***

Lors du référendum tenu en avril 2011, les étudiant(e)s de droit de McGill ont voté en faveur d'un changement de désignation du diplôme de *common law* de « LLB » à « JD » (Juris Doctor). McGill est maintenant la dernière faculté de droit en Amérique du Nord à utiliser la désignation « LLB ».

Beaucoup d'idées fausses continuent d'entourer la question de la conversion de LLB à JD. Venez à l'assemblée pour vous mettre à jour sur cette question importante !

- Hear about the Committee's ongoing negotiations with Faculty
- See presentations on why the change is being proposed
- Participate in the LLB/JD Q&A session
- Receive written materials explaining the proposed change
- MAKE YOUR VOICE HEARD!

***~~ Au plaisir de vous y voir ! ~~***



JONATHAN  
BROSSEAU

tu as toujours su que nous étions  
et janvier porte le poids de la  
neige stigmatisée plastique sans  
peau fouettait l'absence de chaleur  
c'est dans ces eaux que les traces de pas  
plus un jour pour y croire encore  
le plus grave ma voix élevée au  
carré dans les reflets de la lune ses  
prunelles sur une page qui blanche  
dans mon nez seulement le temps

LAW  
LIBRARY

## LIBRARY NEWS

### New Year – New Website

You've probably already noticed that the McGill Library website looks different now. In early January, our website moved to a new open-source web publishing platform: Drupal. We are still working out some of the migration related issues, so if you notice a broken link or missing information, please do not hesitate in sending a message to Svetlana Kochkina, [svetlana.kochkina@mcgill.ca](mailto:svetlana.kochkina@mcgill.ca), and we will fix the problem as soon as possible.

### "Rabbit" is back to the Nahum Gelber Law Library

The most famous piece of art of the Nahum Gelber Law Library *Nijinski Hare* (that our students prefer to call the Rabbit) by Barry Flanagan is once again on the library ground floor after appearing at an exhibition in the Montreal Museum of Fine Arts. If you have not noticed it yet, it is next to the back glass wall.

### NEW! Rare Books Room Tours Offered

If you would like to know what kind of treasures are kept in the glass enclosed Rare Books Room on the second floor of the Law Library, sign up for a half-hour tour. To sign up for a tour, please send a request to Svetlana Kochkina,

[svetlana.kochkina@mcgill.ca](mailto:svetlana.kochkina@mcgill.ca), and we will notify you when we will have enough participants.

### Winter 2012 term - Nahum Gelber Law Library opening hours

#### January 9 - April 5, 2012

<b>Mon.-Thursday</b>	Services	10:00 – 18:00
	Study hours	24 hour access
<b>Friday</b>	Services	10:00 – 18:00
	Study hours	18:00 – 00:00 (midnight)
<b>Saturday</b>	Services	Closed
	Study hours	08:00 – 00:00 (midnight)
<b>Sunday</b>	Services	12:00 – 20:00
	Study hours	Opens at 08:00 (24 hr access)

For the Easter holidays opening hours, please check our website <http://www.mcgill.ca/library/library-using/branches/law-library>

*In this column, we would be delighted to answer all your library-services-related questions. Please send your questions to Svetlana Kochkina [svetlana.kochkina@mcgill.ca](mailto:svetlana.kochkina@mcgill.ca), Liaison Librarian Nahum Gelber Law Library.*



*Avocate chez Osler*

**GENEVIÈVE  
CHABOT**

“Papa, un jour, moi, je serai assise ici!” La petite fille de dix ans en short rose et lulus blondes qui prononça ces paroles il y a quelque 20 ans en pointant vers le banc des juges lors d’une visite à la Cour suprême du Canada ne se doutait certainement pas que cette prophétie allait se réaliser... bien plus tôt que prévu! (Techniquement, elle aurait plutôt dû pointer vers la rangée de sièges à la droite de la salle, mais l’histoire n’aurait pas été aussi intéressante...)

Malgré cet intérêt précoce pour le droit, j’aurai fait quelques détours avant de finalement emménager dans mon bureau du 22<sup>ème</sup> étage du 1000 de la Gauchetière Ouest. Entre des cours de psychologie sociale, de développement de l’enfant et de neuropsychologie et d’autres de droit des biens, d’obligations et de droit des assurances, mon cœur a naturellement penché vers les premiers. Mais après mon baccalauréat en psychologie, j’ai bien dû me rendre à l’évidence; mon futur emploi, je le voulais stimulant et imprévisible. Je voulais entendre, mais surtout être entendue. Bref, j’avais raison depuis le début: le droit, c’était pour moi!

Ces études en psychologie n’auront toutefois pas été veines, puisque toutes ces heures passées à entraîner des rats dans le sous-sol lugubre d’un hôpital psychiatrique m’auront permis de m’initier à la recherche. Dès mon entrée à la Faculté de droit, j’ai donc eu la chance, grâce à mon expérience, de travailler en tant qu’assistante de recherche pour des professeurs, d’abord en droit autochtone, puis en droit

de la famille. En garnissant ainsi mon curriculum vitae d’expériences juridiques, j’ai pu décrocher d’autres emplois dans le domaine, dont l’un au Bureau du surintendant des faillites, et un autre au Tribunal de santé et sécurité au travail Canada. Un échange à la University of Hong Kong plus tard, je posais ma candidature en tant qu’auxiliaire juridique à la Cour suprême du Canada. Je n’étais certes pas la première de ma classe, mais les expériences de toutes sortes que j’avais acquises lors de mon séjour à l’Université d’Ottawa ont apparemment su charmer le Juge LeBel.

Deux ans plus tard, mon séjour à la Cour suprême me semble encore surréaliste. Qu’un des plus éminents juristes au pays me confie à moi, jeune finissante de la Faculté de droit, le mandat de l’assister, de le conseiller et même de rédiger des ébauches d’articles et de décisions m’étourdissait encore. Mais qu’ai-je donc écrit pendant toute cette année? Pour être bien honnête, je ne m’en rappelle plus. Tout est encore flou dans ma mémoire, comme si cela n’avait été qu’un rêve. Ce dont je me rappelle le plus, c’est d’être assise dans la rangée à la droite de la solennelle salle d’audience du 301, rue Wellington à Ottawa, et d’entendre ces plaideurs (de tous calibres, il faut l’admettre) répondre, sur le vif, aux questions parfois extrêmement pointues des juges. De beaux (et de moins beaux) exemples pour la plaideuse que je voulais devenir!

Stimulée par l’environnement hautement intellectuel de la Cour, j’ai tenté ma chance et, à ma plus grande surprise, j’ai été admise au programme de maîtrise (LL.M.) de la Harvard Law School. La réputation de cette institution, croyez-moi, est loin d’être surfaite, et c’est avec un grand sentiment d’humilité que j’ai quitté les

murs de cette vénérable institution en mai dernier, mon diplôme sous le bras. Mon cours favori? « Sex Equality » avec la légendaire Catharine MacKinnon, celle-là même dont la philosophie en matière d’égalité a inspiré l’interprétation qu’on donne aujourd’hui à l’article 15 de la Charte canadienne. Le plus difficile? « Constitutional Law: Separation of Powers, Federalism and 14th Amendment ». Si vous croyez que le droit constitutionnel canadien est difficile, je vous invite à ouvrir un livre de droit constitutionnel américain pour constater que notre système est, en fait, un modèle de clarté en comparaison avec celui de nos voisins du sud!

Difficile, c’est aussi le mot qui me vient à l’esprit lorsque je pense aux dossiers de litige dans lesquels je suis maintenant impliquée chez Osler. Chaque jour amène son lot de défis lorsqu’on représente autant des clients impliqués dans des recours collectifs valant potentiellement quelques milliards de dollars que d’autres impliqués dans des litiges en droit de la construction en valant quelques milliers. Quatre mois après avoir débuté ma « vraie vie » d’avocate, je peux dire que si les études me manquent, le sentiment de contribuer activement à la société en défendant les intérêts de nos clients (les grandes corporations comme les petites églises de quartier) me satisfait pleinement. La petite fille au short rose et lulus blondes a-t-elle pour autant renoncé à son rêve d’être, un jour, assise au banc des juges à la Cour suprême? Certainement pas (quoiqu’elle en comprenne maintenant plus les implications!). La prochaine étape, toutefois, sera peut-être pour elle d’un jour se tenir debout, face à ce banc, et d’à son tour répondre aux questions des juges.



B.C.L. /LL.B. 2011

**MARC  
RICHARDSON  
ARNOULD**

I'd rather not talk about law firms generally. Actually, I'd have very little to say. What I can tell you is that I can't tell you much about other law firms. What I would like to talk about though, is Osler, Hoskin & Harcourt. I can talk tons about Osler. It's the law firm I choose to work at every day and it's a great place to laugh and learn!

I've been with Osler for a few years now and what I can say is that as soon as I started here, I immediately felt like I was part of a team. The same feeling is still with me, almost four years later, as I'm now wrapping up my articles. The thing is that at Osler, you aren't really treated as a student. From the first step you take into the lobby on that first day as a summer stu-

dent, you are treated as a peer, with all of the responsibility and opportunity that that entails. Your mandates come straight from partners, who walk into your office and quickly draw up the details of one of Canada's largest corporate transactions. You get to vociferously and fiercely debate legal issues and arguments with senior associates and junior lawyers while gesticulating so frantically that a hallway onlooker would think you both crazy! The great thing is that at Osler, you are quite simply taken seriously.

Osler isn't just a great place to work, it's also a place where you can chat about politics, art, life and the Habs (!) with wise, knowledgeable and, with respect to the latter, often riled up colleagues and mentors. At Osler, we seriously take the idea of a team to heart. I've personally experienced the team spirit of our firm whilst on annual firm-wide events, monthly young associate and articling student outings, weekly national group meetings and the occasional brunch, lunch or dinner

with colleagues organized at the last minute via mass e-mail. At Osler, we work hard and play hard, or so the age old adage goes. As a young attorney at Osler often says, "At Osler, we do super, super complex legal stuff that's interesting!"

Osler also happens to be a great place to grow as a young attorney. Aside from exposing its students to what is a great legal practice at a very young time in one's career, Osler provides them with great opportunities and facilitates the obtaining of their personal goals. In my experience, while I was hired by the Montreal office, at my request the firm sent me off to Toronto for a summer, encouraged me to obtain my Ontario bar in addition to my Quebec bar and placed no obstacle before my desire to obtain a masters degree. A similar experience is shared by most students who choose to work at Osler!

So there you have it, I hope I've conveyed a sense of what it's like to be a student at Osler and how much people who choose to work here enjoy themselves.

LSA VP-Internal

**MICHÈLE  
LAMARRE-  
LEROUX**

## INTRAMURAUX, SUITE!

La session dernière, j'ai fait un survol des résultats des équipes intramurales, mais hélas! j'ai oublié deux équipes! Eh oui, les équipes de volley-ball sont passées sous mon radar. L'équipe de première année "1L of a ride" dans la division mixte et s'est rendue aux quarts de finale du tournoi. Also, the "Psychedelics" finished first in the league, tied with another team. They lost only one game during the year.

There you go! The winter season has already started, so keep on cheering for your teams!



A DROIT MCGILL LAW PRODUCTION

# Skit Nite

presented by our official partner:

*Blakes*

**20 mars 2012**

doors open at 6:30pm

show starts at 7:30pm

\$ 15 pré-vente / \$ 20 à la porte

[law.got.talent@gmail.com](mailto:law.got.talent@gmail.com)

*Club  
Soda*

1225 St Laurent

Le comité Skit Nite est à la recherche de dramaturges et d'acteurs, de même que d'individus intéressés à aider avec l'organisation de Skit Nite. Si vous voulez participer, n'hésitez pas à nous contacter par courriel! Pour plus d'informations sur Skit Nite, veuillez consulter le site web de l'Association des étudiant(e)s en droit.





## ***Droit et politiques de la santé***

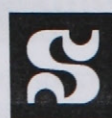
### **Contribuez au réseau de la santé de demain**

- Programmes d'études supérieures les plus avancés dans le domaine au Canada
- Conçus pour les juristes, médecins, gestionnaires et autres professionnels liés au monde de la santé
- Chaire de droit et gouvernance de la santé, faculté membre d'un consortium des meilleures universités canadiennes en DPS, groupe de recherche, etc.
- Programme de bourses exceptionnel
- Possibilité de stage et de séjour d'études à l'étranger

### ***Séance d'information***

23 février à 19 h  
Campus de Sherbrooke  
Faculté de droit, local A9-162  
Réservation et information :  
[Michael.Gagnon@USherbrooke.ca](mailto:Michael.Gagnon@USherbrooke.ca)

[USherbrooke.ca/droit/dps](http://USherbrooke.ca/droit/dps)



UNIVERSITÉ DE  
**SHERBROOKE**





# ELECTRONIC SUBMISSIONS

E-SUBMISSIONS OF STUDENT PAPERS, ESSAYS, AND OTHER WRITING PROJECTS

All term essays, writing & drafting projects and final papers must be submitted through the Student Affairs Office, which will maintain a record of the date and time of receipt.

## PROCESS

All in-course assignments must be submitted in an electronic format ONLY. Assignments identified by student name may be submitted through course management software (mycourses) or to the professor directly by e-mail.

Electronic submission of assignments will allow:

1. students to submit to the SAO and instructors in-course assignments online from anywhere;
2. instructors to correct assignments and provide feedback on-line (through course management software) or on an electronic document;
3. students to 'pick up' graded assignments online (through course management software) or by e-mail;
4. for interaction, feedback and access to in-course grades from anywhere;
5. SAO to track submissions online and track lateness;
6. SAO to access in-course grades and assignments for Grade Reviews electronically where applicable.

## DOCUMENT SUBMISSION OPTIONS

The instructor will choose which form of document submission – via WebCT or via the SAO inbox – best suit their needs and will advise students accordingly. Any questions regarding the format chosen for a specific course should be directed to the instructor.

### 1. myCourses via WebCT (e-submission)

This option is generally used when students are submitting assignments by name only.

The instructor will create a "drop box" on myCourses where students will submit assignments by a specific deadline.

Document format: The instructor will indicate whether the assignment is to be submitted in Word or PDF format.

Lateness will be tracked by the SAO.

### 2. Email submission via the SAO Assignment email (e-submission)

For those instructors who do not use myCourses, students will be asked to submit the assignments to [saoassignments.law@mcgill.ca](mailto:saoassignments.law@mcgill.ca) and to copy (cc) the instructor. The Course title and instructor name must be identified in the subject line.

If submissions of assignments must be anonymous, i.e. instructor request students to submit by the McGill ID number, email submission MUST be used and the instructor is NOT copied.

N.B. The use of exam numbers are reserved for substantial mid-term exams and final exams.

Document format: The instructor will indicate whether the assignment is to be submitted in MS Word or PDF format.

Lateness will be tracked by the SAO.

### 3. Hard copy submissions to the instructor

All assignments must be submitted electronically, either through myCourses or by e-mail. If in addition an instructor wishes for hard copies, they must ask students to submit the hard copies directly to them.

If submission of hard copies is required, instructors will announce the necessary arrangements, for example submission in class or in the instructor's office at a given date and time. Students may also submit hard copies to an "SAO drop box".

There is a wall of drop boxes outside the Graduate Programs Office (Room 406 NCDH) that the SAO will now use for those instructors who wish to have hardcopy assignments. Please note that the SAO will not date stamp or log in these assignments or verify the student identifier. The drop boxes will be locked and students will not be able to retrieve the assignment once submitted. A box will be labeled by the course title and instructor's name.

## ABOUT EXTENSIONS

Students should be advised that applications for extensions must be emailed to the Student Affairs Officer, rather than decided by the individual instructors. See our Extensions on exams and papers page.

## QUESTIONS? EMAIL US AT [INFO.LAW@MCGILL.CA](mailto:INFO.LAW@MCGILL.CA)

Enter "e-submissions" in the subject line.



BEVERLEY

# UN/SOLICITED ADVICE

## GRADES EDITION

**Dear Beverley,**

So I just got my grades, and am feeling a mix of relief, surprise, and disappointment. It's a bit terrifying to see mostly (ok, all) Bs and Cs - even though I thought I was prepared. Also, my marks didn't at all correspond to how I felt about the exams after I wrote them. For better or worse, I've got my grades. I worked so hard though! How can I improve? How am I supposed to learn from this traumatic experience? Have any comforting words for me?

- *B's and C's for life?*

**Dear BC4L,**

For people who are used to getting straight A's, seeing so many B's or C's on one's transcript is a very stressful experience. While we can understand the initial shock - and depression - don't let it get to you! Try to put things into perspective. McGill is a great school, and if you look around you'll see an impressive mix of people from a myriad of backgrounds. You are smart, you deserve to be here, so don't give up and don't lose confidence in yourself just because of a few letters on a transcript.

So you got an A? Ok, maybe you specifically didn't get one. Most people didn't! But for those of you that did - congrats! That's very exciting! But please don't be one of those insufferable people who casually drops their high grade(s) into conversation. We know what you're doing! We don't like it!

So you got B's? Welcome to McGill! The vast majority of grades you receive are going to be some variety of B. That's how the curve works. Keep doing what you're doing, change what didn't work last semester, and keep up with the classes as much as possible and you'll be fine for April.

So you got a C? Who cares! It will be fine. We know tons of McGill grads who have found jobs and who have had the odd C on their transcripts, and low-sounding GPAs. It's not the end of the world. But do go talk to your prof because they do want to help you do as well as possible, and they'll be able to give you some insight into what you might want to change for this semester.

**To everyone,** we would recommend that you: Talk to your profs. Look at your exams. Find out how

you can improve, because don't forget that 1L December grades won't ever be seen by anyone but yourself. Your midterm marks in no way need to determine what the rest of your grades here at McGill will look like. While there doesn't seem to be any formula to the madness, all you can do is try your best. Relax... and another thing: is it such a crazy idea to try and enjoy yourself here? Aren't we lucky to have the opportunity to study law in Montreal, at McGill? Embrace law school. Enjoy learning. Balance your studies with a life outside the faculty. Most importantly: remember to take time for yourselves.

We Believe in You! Good Luck!

**PS: We asked around the fac and got some wise upper years to share how they cope with exams, or how they would advise others to deal. Here's what they said:**

"At the end of the day, we are all in the same boat! If faut relativiser."

"On est déjà extrêmement privilégiés. Les notes ne détermineront pas notre avenir."

(continued on page 18)





**Que faites-vous cet été?**

**Avocats canadiens à l'étranger –  
Canadian Lawyers Abroad**



CANADIAN LAWYERS ABROAD  
AVOCATS CANADIENS À L'ÉTRANGER

**Programme de stage étudiant été 2012**

**Date limite: 31 janvier 2012**

Des stages sont disponibles partout au monde!

Nairobi, Kenya  
Bangkok, Thaïlande  
Accra, Ghana  
Nunavut, Canada  
Dili, Timor-Leste

Pour plus de renseignements, naviguez à:

<http://cla-ace.ca/what-we-do/internships/2012-summer-internships/>



## UN/SOLICITED ADVICE

(continued from page 16)

"Just remember, pay your fees, get your B's and get out."

"Move on."

"Don't cry!"

"By being in law school, the hardest part is done."

"Whatever, just work on your personality and you'll be successful."

"Remember that you're not the only one whose self-worth was totally shattered by a set of meaningless exams."

"It's ok to be average!"

"Suck it up, get over it, that's life."

"Don't evaluate your self-worth based on marks."

"That is what alcohol is for."

"Depuis que j'ai découvert l'existence d'une relation inversement proportionnelle entre mon effort et mes notes, ma qualité de vie s'est grandement améliorée."

"Every semester I am convinced I failed at least one exam. Every semester I am

proven wrong; McGill law is unfailable."

"Your grades do not define who you are as a person. And if you're the kind of person who thinks your grades define you, you've got bigger problems. And I don't want to be your friend."

"Eat chocolate! Or jump on the bed! It helps."

"From the beginning of the semester: have the lowest expectations possible, and you can only be happy with the results."

"Trouver l'erreur:

A- Aller voir votre professeur pour comprendre vos erreurs est une excellente idée.

B- Si vous n'avez pas bien compris la matière avant l'examen, vous ne comprendrez pas non plus l'explication du professeur

C- L'alcool, même en quantité importante, ne changera rien à votre état...croyez-moi je l'ai déjà essayé."

"It was clearly your wardrobe, so you'll have to completely reconsider it. Once

you've done that, you'll have forgotten about your grades."

"If your self-worth is wrapped up in grades, examine your life."

"Go view your exams- learn from them. Don't be embarrassed to talk to your prof if you got a grade you're unhappy with."

"Go for a run and watch a movie."

"Remember that we're not all competing for the same jobs and that getting a job is about way more than your marks."

"For 1st years: 1st term grades don't count for anything. May is when you should be depressed."

"I'm pretty happy, gonna slack off again next semester."

Well folks, that's all for this week's Un/Solicited Advice. We don't have much to say without you, so please write in to us - no question too silly! No comment too inane! No offer of a date will be left unconsidered!

xo,  
Bev

## OVERHEARD AT THE FAC

3L, on the phone: Well do you have pants on? Because if you don't have pants on that's going to be a problem.

4L, introducing herself in class: Hi, I'm [redacted], I'm in my last year—really happy about that. Thrilled.

Prof. Piper: It's like the tam-tams: it smells like pot, there's a lot of noise, a lot of hairy people...

Prof. Gold: Students always ask to know more rules. I guarantee, by the time you graduate, you won't remember any rules.

Prof. Glenn: It's a favourite sport of people in prison to sue their lawyers.

Prof. Piper: Restricting employee mobility is a big problem. They had a great solution in Venice: killing people.

3L in a singsong voice: And my ears were frozen, and my ears were broken... How does it go again?

3L: I never know what you are quoting, it's kind of awkward. I just smile at you and nod.

## ENVOYEZ VOS OVERHEARDS!

[quid.overheard@gmail.com](mailto:quid.overheard@gmail.com)

*Please send in quotes from professors with names - we will redact them if necessary. However, always send student quotes as anonymous (1L, 2L, Grad, etc.). Merci!*



## EDITORIAL

(continued from page 3)

School and having the money to both try your hands at swimming, fencing, soccer, piano lessons and all the rest cannot teach you practical intelligence. Practical intelligence "includes things like 'knowing what to say to whom, knowing when to say it and knowing how to say it for maximum effect.' It is procedural: it is about knowing *how* to do something without necessarily knowing *why* you know it or being able to explain it. It's practical in nature: that is, it's not knowledge for its own sake. It's knowledge that helps you read situations correctly and get what you want." It is distinct from IQ as well. You may have a very high IQ, and no practical intelligence, and vice versa (p. 115). When a lawyer at coffeehouse tells you that doing well in an interview is not only about showing off your excellent grades, but presenting yourself well, they also mean that you have to have some practical intelligence. You have to be able to read them and know how to

engage with them in conversation. You either got it or you don't. Grades are not everything, and that may bring comfort to some.

Our society tells us that success is either (1) popularity, (2) lots of money, or (3) being a lawyer/doctor. And of course, any combination of those three. Generally, you will have all three in one. (Although perhaps, in the case of the lawyer, we would speak of notoriety instead of popularity.) I think we should bring a little (or a LOT) more variety to our definition of success. Maybe that way we will see the world as filled with more successful people than unsuccessful people. And maybe a book like *Outliers* won't even be necessary to make us feel better about ourselves. Now that would be a true change in perspective.

Reference: Gladwell, Malcolm. *Outliers: The Story of Success*. London: Penguin Books, 2008.



